

VZCZCXRO3207  
PP RUEHMA RUEHPA  
DE RUEHFN #1018/01 3462010  
ZNR UUUUU ZZH  
P 121946Z DEC 06 ZDS  
FM AMEMBASSY FREETOWN  
TO RUEHC/SECSTATE WASHDC PRIORITY 0586  
INFO RUEHZK/ECOWAS COLLECTIVE  
RUEHGV/USMISSION GENEVA 0216

UNCLAS SECTION 01 OF 02 FREETOWN 001018

SIPDIS

C O R R E C T E D C O P Y (ADDING SIPDIS CAPTION)

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E.O. 12958: N/A

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SUBJECT: SIERRA LEONE'S NEW HUMAN RIGHT COMMISSION SWORN IN

REF: FREETOWN 819

FREETOWN 00001018 001.2 OF 002

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SUMMARY  
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¶1. (U) Sierra Leone achieved another milestone in its post-conflict recovery on December 11 with the inauguration of the new Human Rights Commission (HRC). The five commissioners, who were proposed by civil society organizations, were sworn-in on International Human Rights Day in the presence of President Kabbah, who pledged non-interference in their work. The HRC initially will be responsible for monitoring implementation of Sierra Leone's Truth and Reconciliation (TRC) recommendations. The UN, which assisted with the identification of Commissioners, continues to assist the HRC with surplus funding from the TRC budget and a lease on a new building in central Freetown. END SUMMARY.

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The Swearing In - Finally  
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¶2. (U) On December 11, the Ambassador attended the swearing-in ceremony for five members of the new Human Rights Commission (HRC). Presiding at the ceremony at the office of the President, Minister of Justice and Attorney-General F.M. Carew explained that the HRC was the result of a recommendation of the 1999 Lome Peace Agreement, and was established under the Human Rights Act passed by the Parliament in 2004. He said that its members were proposed by representatives from the Inter Religious Council, the Sierra Leone Women's Forum, labor and civil society organizations, as well as by the Association of Paramount Chiefs, in accordance with the law. Legislation requires that two of the five members must be women, and that two should also be lawyers. Although all the new members are Christian, the selection process does take into account religious and geographic considerations. The HRC mandate is to implement recommendations of the Truth and Reconciliation Commission, which published its final report in 2005 on the causes and effects of the civil war.

¶3. (U) Carew announced that the GoSL had deposited \$100,000 for a Trust Fund for initial operations, but that the GoSL would continue to look to donors for financial assistance. He credited the UN Commission on Human Rights (UNHCHR) office in Geneva for sponsoring a stakeholders' meeting to identify TRC recommendations that can be immediately implemented by the HRC and those that will require donor assistance.

¶4. (U) In his remarks, Gebremedhin Hagoss, Chief of Peace and Governance Section of the United Nations Integrated Mission in Sierra Leone (UNIOSIL) told the audience that the HRC was

established in accordance with the 1993 Paris Agreement on Human Rights, and that GoSL budgetary support is critical for the HRC. He also said that beginning in January a resident advisor from the UNHCHR would help structure the HRC, and that the UN will reallocate remaining TRC funds for support. After the event, he told the Ambassador that the UN is negotiating a lease on a new building in downtown Freetown to house the HRC.

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President Kabbah Pledges HRC Independence  
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¶5. (U) After the commissioners were sworn in, President Kabbah emphasized that human rights violations were one of the main causes of the 11 year war in Sierra Leone. He said that implementation of the HRC had been delayed by the need to solicit various stakeholders' input and by the slow UN bureaucracy. He pledged that the GoSL would not interfere with the HRC's operations.

¶6. (U) One of the TRC recommendations is the abolition of the death penalty in Sierra Leone. Noting that the U.S. ambassador was in attendance and that the death penalty still existed in the U.S., Kabbah said that from apart from a few court marshals during the civil war when individuals were executed, the GoSL had not implemented the death penalty under the current constitution and would not do so while he is President. He added that the death penalty was an effective deterrent and should be "left in doubt." He concluded his remarks stating that "I will not interfere with verdicts of the independent judiciary, but will use my prerogative of mercy" to commute death sentences.

¶7. (SBU) Conspicuously absent from the ceremony was the Chinese Ambassador, although his car was at the President's office as guests arrived. A number of other foreign missions were represented including the Iranians, Libyans, French, British, Nigerians, Germans, and Liberians.

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Composition of the Commission  
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FREETOWN 00001018 002.2 OF 002

¶8. (U) The Human Rights Commissioners were nominated, vetted and approved by various civil society organizations. A final list of seven nominees was prepared. While the President was able to choose the final five commissioners from this list, he had no involvement in the choice of the seven nominees he was presented, thereby underscoring the independence of the Commissioners. The five Commissioners biographies were provided reftel.

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Comment  
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¶9. (SBU) While a long time coming, the final swearing in of the HRC commissioners is a welcome event - timed, perhaps not coincidentally, on Human Rights Day. While the UN has provided Commissioners with a home and an advisor, the seed money provided by the GOSL will not last long, and donors clearly will have to provide support. The way the commissioners were chosen, and President Kabbah's pledge to respect the independence of the HRC is welcome. The HRC swearing in is a milestone as Sierra Leone consolidates peace and security. After the opening fanfare, the GOSL will need to stay focused and recognize their responsibility to this important body and ensure that the work and recommendations of the Commissioners are implemented. END COMMENT.

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